

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JEFFREY A. WIEST &	:	
LAURA E. WIEST, h/w,	:	CIVIL ACTION
<i>Plaintiffs,</i>		:
		:
v.		:
		:
THOMAS J. LYNCH et al.,	:	No. 10-3288
<i>Defendants.</i>		:

O R D E R

AND NOW, this 15th day of April, upon consideration of Defendants' Motion to Dismiss (Docket No. 35), the Wiests' Memorandum in Opposition thereto (Docket No. 39), Defendants' Reply (Docket No. 40), the Wiests' Notices of Supplemental Authority (Docket Nos. 41 & 42), oral argument held on July 15, 2013, and the parties' supplemental briefing in response to the Court's March 11, 2014 Order (Docket Nos. 47–49), **it is HEREBY ORDERED that the Motion to Dismiss is GRANTED in part and DENIED in part such that, for the reasons explained in the Memorandum issued concurrently with this Order—**

1. the Wiests' Complaint is **DISMISSED** as to Defendants Thomas J. Lynch, Terrence Curtin, and Charles C. Post;
2. the Wiests **MAY PROCEED** on all Counts of their Complaint, as pleaded, against the remaining Defendants, Charles Dougherty and Tyco Electronics Corporation;
3. Defendants shall **ANSWER** the Wiests' Complaint within the time provided by the Federal Rules of Civil Procedure; *and*

4. counsel for the parties shall appear for an in-Chambers **initial pretrial conference at 4:00 PM on Monday, May 5, 2014.**¹

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
United States District Judge

¹ The details and expectations for the initial pretrial conference will be provided with a Notice also issued today.